

REMARKS

Applicant respectfully requests reconsideration of this application, and reconsideration of the Office Action dated May 9, 2005. Upon entry of this Amendment, claims 1-3, 6, 7, 10, 12, 15, 16, 19-22 and 43-53 will remain pending in this application. The changes to the claims are supported by the specification and original claims.

For example, independent claim 1 has been amended by incorporating all of the features of previous claim 5 into claim 1. Claim 3 has been rewritten in independent form including all of the features of previous claims 1 and 4. Independent claim 10 has been amended by incorporating all of the features of previous claims 11 and 14 into claim 10. Claim 12 has been rewritten in independent form including all of the features of previous claims 12 and 13. Newly added claims 47-53 correspond to claims 2, 6, 7 and 43-46, respectively, but have been written to depend from claim 3. No new matter has been added as a result of this Amendment. Payment to cover the costs associated with the new claims is also submitted herewith.

* * * * *

The sole remaining issue concerns the rejection of the claims under 35 U.S.C. 102(b) as purportedly anticipated by Thomas (U.S. Pat. No. 4,989,960). Applicant respectfully traverses this rejection.

Independent claim 1 concerns an optical lens. The lens includes a marking formed on a surface entirely outside a light transmitting effective area of the lens to distinguish between a surface and a back of the lens. The claim defines the marking as unevenly formed outside the effective area of the lens. Independent claim 10 concerns a corresponding manufacturing method of an optical lens. The method includes entirely forming a marking on a surface outside a light transmitting effective area of the lens to distinguish between a surface and a back of the lens. The lens is described as a coupling lens for optically coupling a light beam irradiated from a light source to an incident end face of an optical device. Like claim 1, the marking is said to be unevenly formed outside the effective area of the lens; it is formed by using a mold. The fact

that the marking is unevenly formed allows a user to distinguish between the two sides of the lens by touch.

The Office Action asserts Thomas describes an optical lens that has a darkened area formed on the surface of the lens entirely outside the effective area of the lens to distinguish between the two surfaces of the lens. However, Thomas' es darkened area does not correspond to the marking feature of Applicant's invention. Thomas discloses oxidation reduction of metallic oxide to produce a darkened area on the optical lens. This darkened area is taught to remove reflected stray light to prevent scattering within the lens. Those of ordinary skill in the art would understand from Thomas that Thomas' es blackened areas 26 have uniform or even surfaces, simply to preclude scattering. In contrast, Applicant's lens includes a marking that is uneven, outside the effective area of the lens. This uneven marking enables the opposite sides of the lens to be distinguished (by touch). Because Applicant's marking is uneven, a user can easily determine which side of the lens is facing a given direction by simply feeling for the uneven marking. This uneven marking feature is neither taught nor fairly suggested by Thomas. As such, Thomas fails to disclose each and every feature of independent claims 1 and 10, and thus cannot anticipate these claims and the claims depending therefrom.

Applicant now addresses independent claims 3 and 12. Independent claim 3 concerns an optical lens. The lens includes a marking formed on a surface entirely outside a light transmitting effective area of the lens to distinguish between a surface and a back of the lens. The lens surface has a coating film that is not provided entirely outside the effective area of the lens. The marking, then, is described as formed by using the coating film and as a part on which the coating film is not provided. In other words, the marking is somewhere outside of the effective area where the film is not. This can be seen in Figures 2B to 2E of the present specification where the coating is formed only partially outside the effective area. In this way, the area not covered by the coating serves as the marking. Also, see Page 17, first complete paragraph of the present specification.

Independent claim 12 concerns a corresponding manufacturing method of an optical lens. The method includes entirely forming a marking on a surface outside a light transmitting effective area of the lens to distinguish between a surface and a back of the lens. As in claim 3, the lens surface has a coating film that is not provided entirely outside the effective area of the lens. The marking is formed by using the coating film and refers to a part on which the coating film is not provided.

As explained above, Thomas discloses employing an oxidation reduction of metallic oxide to produce a darkened area on the optical lens. Unlike Applicant's lens and lens manufacturing method of claims 3 and 12, those of ordinary skill in the art are taught by Thomas that the darkened area be formed entirely outside the effective area of the lens. Hence, Thomas fails to teach or suggest Applicant's arrangement of a coating partially outside the effective area with the area not covered by the coating serving as a marking. Hence, Thomas fails to teach or fairly suggest each and every feature of independent claims 3 and 12, and cannot anticipate these claims or the claims dependent therefrom.

In view of the above remarks, Applicant respectfully submits that this rejection is overcome and requests it be withdrawn.

* * * * *

Applicant respectfully submits that this Amendment and the above remarks obviate the outstanding rejection in this case, thereby placing the application in condition for immediate allowance. Allowance of this application is earnestly solicited.

Serial No.: 09/776,761
Docket No.: 033216M068

If any fees are due in connection with the filing of this Amendment, such as fees under 37 C.F.R. §§ 1.16 or 1.17, please charge the fees to our Deposit Account No. 02-4300; Order No. 033216.068.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By:



Michael A. Makuch, Reg. No. 32,263
1850 M Street, N.W., Suite 800
Washington, D.C. 20036
Telephone: (202) 263-4300
Facsimile: (202) 263-4329

Dated: August 9, 2005

MAM/BLN